

Before the
Federal Communications Commission
Washington, DC 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the matter of

Routine Licensing of Large
Numbers of Small Antennas
Operating in the Ka-Band

RM 9005

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COMMENTS OF

NATIONAL SPECTRUM MANAGERS ASSOCIATION

ON THE

PETITION FOR RULE MAKING

NATIONAL SPECTRUM MANAGERS ASSOCIATION, INC.

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September 24, 1997

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**COMMENTS OF
NATIONAL SPECTRUM MANAGERS ASSOCIATION
ON THE
PETITION FOR RULE MAKING**

The National Spectrum Managers Association (NSMA or Association) respectfully submits the following Comments in the above-captioned proceeding.

The NSMA, established in 1984, is a voluntary association of individuals involved in the frequency coordination of terrestrial microwave, Personal Communications Service (PCS) and satellite earth stations. The role of the Association is to supplement the Commission's coordination rules with procedural and technical recommendations developed in an open industry forum of coordinators, licensees, and manufacturers. The NSMA's objective is to make the frequency coordination process more efficient and effective.

The NSMA believes there are a number of important interference management issues raised by the Petitioners' proposals, and by the single commenter, Teledesic,¹ which should be addressed by the Commission as it considers blanket authorization of terminals using spectrum shared between the Fixed Satellite Service (FSS) and the significant imbedded base of terrestrial microwave services. The Association supports the Commission's efforts to take the time to gather additional information in this proceeding.²

SUMMARY

The NSMA's specific positions are: (1) that procedural and technical requirements related to interference management established for any shared band segments be uniformly applicable to all users; (2) that an industry group, representing the interests of users of the shared band, be created to develop blanket licensing procedures, and (3) that the Commission should take separate action on shared and un-shared downlink band segments in order to enable prompt action on blanket authorizations of terminals using the un-shared portions of the band.

¹ Petition for Rule Making, RM 9005, filed December 23, 1996 by Lockheed Martin Corporation, AT&T Corp., Hughes Communications, Inc., Loral Space & Communications, Ltd. and GE American Communications, Inc. (collectively the Petitioners). Comments were subsequently filed by Teledesic Corp. on February 18, 1997; a reply from the Petitioners was filed March 5, 1997.

² The Commission should evaluate the potential additional perspective and depth that would be afforded by construction of a more complete record. As the FCC determined with its negotiated rulemaking process which was convened to achieve industry agreement on sharing of the 28 GHz band in its Docket 92-297 proceeding, spectrum sharing between fixed (in that case LMDS) and the fixed satellite service can be a considerable challenge. In this proceeding, every opportunity should be afforded for parties to establish a dialog and work out mutually acceptable sharing solutions.

RECENT RELATED NSMA ACTIVITIES

The NSMA's membership has spent considerable effort over the last two years developing industry consensus and producing procedural recommendations specifically related to spectrum sharing. We have addressed sharing between fixed microwave users and PCS licensees, among PCS licensees and among area licensees in the 38 GHz band. In addition, we are also currently focusing considerable effort on potential C-band sharing between new maritime mobile satellite operations and fixed service licensees. The NSMA's structure of Working Groups and Committees that are currently addressing these issues includes an Inter-service Sharing Committee, a Frequency Coordination Procedures Working Group, a Satellite Technologies Working Group, a PCS Coordination Working Group, and an Interference Objectives Working Group. While we have found development of spectrum sharing procedures to be complex and requiring careful study, we have also found that creating workable procedures and establishing industry consensus on their use is achievable.

NSMA POSITIONS

NSMA believes that uniform procedural and technical requirements should be established for all users of any spectrum where the Commission authorizes shared use. The specific processes used to ensure equitable access to bands allocated for shared use can best be addressed in an open industry forum.

In those frequency segments that are shared with terrestrial microwave services, the Association supports blanket licensing as a method of expediting the licensing process, but not in a way that would limit the development of either existing or new services. To this end, the NSMA proposes that the Commission

recommend that all primary users of shared bands participate in discussions to develop technical standards to support blanket licensing where possible.

The NSMA agrees with the Petitioners³ that the downlink sub-bands proposed for inclusion by Teledesic (i.e., 17.7 - 18.8 GHz and 18.8 - 19.3 GHz) raise different, and potentially more protracted issues of inter-service sharing than the original petition contemplated. Should the Commission expand the proceeding to include consideration of these proposals, the NSMA believes that it would be most beneficial to address rules for use of these sub-bands in a separate industry forum.⁴ This would allow more expeditious consideration and resolution of issues surrounding bands not proposed for sharing which therefore lend themselves more readily to blanket licensing. In anticipation that the Commission may support joint industry efforts, the NSMA is initiating discussion with other industry organizations to address establishing such a forum.

A similar forum, known as the Joint Working Group (JWG), is currently active under the auspices of the TIA as TR34.2/TR14.11/NSMA to resolve concerns related to inter-service spectrum sharing between the mobile satellite service (MSS) and incumbent fixed service (FS) microwave. This forum has active participation by parties representing both industry segments. This JWG is chartered to produce two documents: (1) a report to the Commission regarding the feasibility of inter-service sharing between MSS and FS; and (2) a technical service bulletin which specifies methods of calculating interference levels and interference objectives for the respective two services. As with this existing JWG, a new similar open forum would provide an opportunity for parties of interest to participate in the development of blanket licensing procedures in the 18 GHz band.

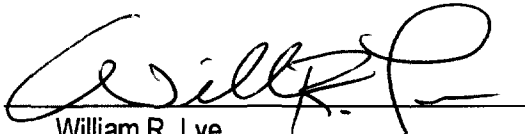
³ Reply of the Petitioners, page 3.

⁴ NSMA believes informal participation by knowledgeable FCC staff members in such a group would facilitate its work.

The members of the NSMA are prepared to actively participate in the open industry forum suggested here.

Respectfully submitted,

NATIONAL SPECTRUM MANAGERS ASSOCIATION

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